

REMARKS

This Amendment is being filed in response to the Office Action mailed September 23, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-7 and 10-14 are pending in the application, where claims 8-9 have been currently canceled without prejudice and claims 10-14 have been currently added. Claims 1 and 13 are independent. Applicant reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents. Applicants further thank the Examiner for acknowledging receipt and consideration of the Information Disclosure Statement filed on October 17, 2007.

By means of the present amendment, claims 1-7 have been amended for non-statutory reasons, such as for better form

including beginning the dependent claims with 'The' instead of 'A', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-7 were not made in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to claims 3, 6 and 7 for certain informalities. Without agreeing and to advance prosecution, claims 3, 6 and 7 have been amended to remove the alleged informality. Accordingly, withdrawal of the objection to claims 3, 6 and 7 is respectfully requested.

In the Office Action, claims 8-9 are rejected under 35 U.S.C. §101 and under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses these rejections. However, in the interest of advancing prosecution, claims 8-9 have been canceled without prejudice. The cancellation of claims 8-9 renders moot these rejection with regard to claims 8-9.

In the Office Action, claims 1-9 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,636,005 (Wacyk) in view of U.S. Patent No. 4,654,562 (Berdat). Applicant respectfully traverses

and submits that claims 1-7 and 10-14, as amended, are patentable over Wacyk and Berdat for at least the following reasons.

Wacyk is directed to ballast with integrated RF interface. As correctly note on page 5, first full paragraph of the Office Action, Wacyk does not disclose or suggest an electrode which is used as an antenna. Berdat is cited in an attempt to remedy the deficiencies in Wacyk.

Berdar is directed to a flashing lamp unit using an ionization electrode 72 which is along and outside the lamp, where the lamp has two electrodes (i.e., anode 56 and cathode 58) inside the lamp, as shown in FIG 6 and recited on column 3, lines 13-16, and column 4, lines 53-54. As specifically recited on column 6, lines 14-22: (emphasis added)

The ionization electrode 72 acts as an antenna which transmits an electromagnetic wave corresponding to its excitation voltage and this electromagnetic wave causes the gas inside the fluorescent lamp 14 to ionize. This ionization step facilitates the conduction of the fluorescent lamp by allowing a current to flow between anode 56 and cathode 58 of the lamp in a very short period of time and so permits the production of a short flash of light.

That is, the ionization electrode 72 provides an excitation voltage that turns on the lamp. Not only is the ionization

electrode 72 a separate electrode outside the lamp, in addition to the cathode and anode inside the lamp, but also the ionization electrode 72 does not provide or receive any data included in a control signal. Rather, the ionization electrode 72 provides a high voltage, namely the excitation voltage to turn on the lamp.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 13, amongst other patentable elements recites (illustrative emphasis provided):

a body for emitting light, the body comprising at least a first electrode located inside the body;
wherein the control interface is connected to the at least first electrode of the body, and wherein the at least first electrode is used as a first antenna for wireless control of the lamp including reception and transmission of data included in a control signal.

These features are nowhere disclosed or suggested in Wacyk, Berdat, and combination thereof. Instead of the electrode inside the lamp acting as an antenna, Berdat discloses a separate ionization electrode 72 located outside the lamp, similar to the separate electrode that the present invention eliminates, as described on page 2, line 13-18 of the present application. Further, the Berdat ionization electrode 72 provides a high


excitation voltage to turn on the lamp, and does not receive or transmit any data included in a control signal, as recited in independent claims 1 and 13.

Accordingly, it is respectfully submitted that independent claims 1 and 13 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7, 10-12 and 14 should also be allowed at least based on their dependence from amended independent claims 1 and 13.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101